

PGN/TFH: USAO 2018R00796

FILED
U.S. DISTRICT COURT
DISTRICT OF MARYLAND

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

UNITED STATES OF AMERICA

v.

WARREN DUANE HAYES and
LAMONT LUTHER JOHNSON,

Defendants

CRIMINAL NO. **AWT 19CR0013**

(Interference with Interstate
Commerce by Robbery, 18 U.S.C.
§ 1951(a); Using, Carrying, and
Discharging a Firearm During and
in Relation to a Crime of Violence,
18 U.S.C. § 924(c)(1)(A)(iii); Felon in
Possession of Firearm, 18 U.S.C.
§ 922(g)(1); Aiding and Abetting,
18 U.S.C. § 2; Forfeiture, 18 U.S.C.
§§ 981(a)(1)(C) and 924(d), 21 U.S.C.
§ 853, 28 U.S.C. § 2461(c))

INDICTMENT

COUNT ONE

(Interference with Interstate Commerce by Robbery)

The Grand Jury for the District of Maryland charges that:

On or about December 5, 2017, in the District of Maryland, the defendants,

**WARREN DUANE HAYES and
LAMONT LUTHER JOHNSON,**

did knowingly and unlawfully obstruct, delay, and affect commerce by robbery, as those terms are defined in Title 18, United States Code, Section 1951, in that the defendants did unlawfully take and obtain property, including, among other items, United States currency from the person and presence of an employee of Business 1, in Leonardtown, Maryland, by means of actual and threatened force, violence, and fear of injury, immediate and future, to the employee.

18 U.S.C. § 1951(a)
18 U.S.C. § 2

COUNT TWO
**(Using, Carrying, and Discharging a Firearm
During and in Relation to a Crime of Violence)**

The Grand Jury for the District of Maryland further charges that:

On or about December 5, 2017, in the District of Maryland, the defendants,

**WARREN DUANE HAYES and
LAMONT LUTHER JOHNSON,**

did knowingly use, carry, and discharge a firearm during and in relation to a crime of violence for which the defendants may be prosecuted in a court of the United States, that is, interference with interstate commerce by robbery, in violation of 18 U.S.C. § 1951(a), as set forth in Count One of this Indictment, which is incorporated here.

18 U.S.C. § 924(c)(1)(A)(iii)
18 U.S.C. § 2

COUNT THREE
(Felon in Possession of Firearm)

The Grand Jury for the District of Maryland further charges that:

On or about December 5, 2017, in the District of Maryland, the defendant,

WARREN DUANE HAYES,

having been convicted of a crime punishable by imprisonment for a term exceeding one year, did knowingly possess in and affecting commerce, the following firearm: a Haskell model JHP .45 caliber pistol, bearing serial number X4229682.

18 U.S.C. § 922(g)(1)

COUNT FOUR
(Felon in Possession of Firearm)

The Grand Jury for the District of Maryland further charges that:

On or about March 1, 2018, in the District of Maryland, the defendant,

LAMONT LUTHER JOHNSON,

having been convicted of a crime punishable by imprisonment for a term exceeding one year, did knowingly possess in and affecting commerce, the following firearms: (1) a Ruger model P345 .45 caliber pistol, bearing serial number 664-55138, and (2) a Haskell model JHP .45 caliber pistol, bearing serial number X4229682.

18 U.S.C. § 922(g)(1)

FORFEITURE ALLEGATION

The Grand Jury for the District of Maryland further finds that:

1. Pursuant to Fed. R. Crim. P. 32.2, notice is hereby given to the defendants that the United States will seek forfeiture as part of any sentence in accordance with 18 U.S.C. §§ 981(a)(1)(C) and 924(d), 21 U.S.C. § 853, and 28 USC § 2461(c), in the event of the defendants' convictions under Counts One through Four of this Indictment, as applicable.

Robbery Forfeiture

2. As a result of the offense set forth in Count One of this Indictment, the defendants,

**WARREN DUANE HAYES and
LAMONT LUTHER JOHNSON,**

shall forfeit to the United States all property constituting, or derived from, proceeds obtained, directly or indirectly, as a result of such violation.

Firearms Forfeiture

3. As a result of the offenses alleged in Counts Two, Three; and Four of this Indictment, as applicable, the defendants,

**WARREN DUANE HAYES and
LAMONT LUTHER JOHNSON,**

shall forfeit to the United States the firearms identified in those counts and involved in those offenses.

Substitute Assets

4. If any of the property described above, as a result of any act or omission of the defendants:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty,

the United States of America shall be entitled to forfeiture of substitute property pursuant to 21 U.S.C. § 853(p).

18 U.S.C. § 981(a)(1)(C)

18 U.S.C. § 924(d)

21 U.S.C. § 853

28 U.S.C. § 2461(c)

Robert K. Hur ^{ITF H}
Robert K. Hur
United States Attorney

A TRUE BILL:

SIGNATURE REDACTED

Foreperson

January 9, 2019
Date